

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

EB-11 INR-10 NSAE-00 RSC-01 FAA-00 IOE-00 PM-07 H-03

L-03 NSC-10 PA-03 PRS-01 SS-15 USIA-15 RSR-01 SY-10

AF-10 ARA-16 EA-11 NEA-10 /186 W
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P R 041835Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC PRIORITY 583

INFO AMEMBASSY MOSCOW

AMEMBASSY LONDON

AMEMBASSY PARIS

AMCONSUL MONTREAL

USUN NEW YORK 1659

C O N F I D E N T I A L ROME 9116

E.O. 11652: GDS

TAGS: ICAO, ETRN

SUBJECT: ICAO AIR SECURITY CONFERENCE: STATE ACTION ISSUE

MONTREAL FOR US REP ICAO

1. FOLLOWING CABLE REQUESTS INSTRUCTIONS ON HANDLING STATE ACTION ISSUE.

2. TO DATE, USDEL HAS TAKEN ONLY PROCEDURAL POSITION ON HOW, IF AT ALL, STATE INTERFERENCE WITH CIVIL AVIATION IS TO BE COVERED IN CONVENTIONS AND/OR AMENDMENT. SINCE SUGGESTED DEFINITIONS OF STATE INTERFERENCE ABOUND IN CORRIDORS, WE HAVE SUGGESTED INFORMALLY THAT JOINT WORKING GROUP OF ASSEMBLY/ CONFERENCE SHOULD BE FORMED TO ATTEMPT TO DEFINE STATE INTERFERENCE. WHETHER WORKING GROUP IS FORMED OR, AS WE FEAR, MATTER IS OPENED TO DEBATE ON FLOOR, USDEL WILL REQUIRE GUIDANCE ON THIS ISSUE ASAP.

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3. WE WOULD PREFER EFFORT TO DEFINE STATE ACTS TO BE COVERED

WITH SOME PRECISION RATHER THAN USE OF VAGUE PHRASE SUCH AS
QTE ALL STATE ACTS, WHICH INTERFERE WITH THE NAVIGATION OF
CIVIL AIRCRAFT, UNQTE AS SOME DELS HAVE SUGGESTED. SATISFACTORY
DEFINITION WOULD BE ALONG FOLLOWING LINES: QTE AN ACT BY A
STATE CONTRARY TO INTERNATIONAL LAW WHICH THREATENS THE SAFETY
OF AN AIRCRAFT OF THE COMPLAINING STATE'S REGISTRY ENGAGED IN
INTERNATIONAL CIVIL AVIATION AND OPERATING IN CONFORMITY WITH
THE CHICAGO CONVENTION AND ITS ANNEXES. SUCH ACTS SHALL INCLUDE
THOSE OFFENSES CONTAINED IN THE HAGUE AND MONTREAL CONVENTIONS
AS WELL AS THE ACTUAL OR ATTEMPTED SEIZURE OF CONTROL OVER AN
AIRCRAFT IN FLIGHT, COMMITTED FROM OUTSIDE THE AIRCRAFT.
UNQTE. VOLPE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 04 SEP 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973ROME09116
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS VOLPE
Errors: N/A
Film Number: n/a
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730956/aaaabpcn.tel
Line Count: 73
Locator: TEXT ON-LINE
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 19 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19-Sep-2001 by freemaal>; APPROVED <05-Nov-2001 by morefirh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICAO AIR SECURITY CONFERENCE: STATE ACTION ISSUE MONTREAL FOR US REP ICAO
TAGS: ETRN, ICAO
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005